

**MINUTES OF THE
CITY OF GREENSBORO
MINIMUM HOUSING STANDARDS COMMISSION
REGULAR MEETING
JULY 12, 2018**

The regular meeting of the City of Greensboro Minimum Housing Standards Commission (MHSC) was held on Thursday, July 12, 2018 in the Council Chambers of the Melvin Municipal Office Building, commencing at 1:30 p.m. The following members were present: Acting Chair, Peter Isakoff; Robert Kollar; Carolyn Biggerstaff; Suzanne Nazim; and Quentin Brown. Staff present included: Elizabeth Benton, Code Compliance Division Manager; Brad Tolbert, Code Enforcement Supervisor; Lawanda Fountain, Co-Code Compliance Administrator; Cheryl Lilly; Don Sheffield, Chief Building Inspector; and Inspectors Roddy Covington, Logan Rustan, Carla Harrison, Roy McDougal, Jarod LaRue, Larry Roach, and Kenny Taylor. Also present was Terri Jones, Attorney; and Mary Lynn Anderson, City Attorney's Office.

Acting Chair Isakoff welcomed everyone to the meeting and explained the rules and procedures of the Minimum Housing Standards Commission.

1. SWEARING-IN OF CITY STAFF TO TESTIFY:

City staff was sworn as to their testimony in the following matters.

2. SWEARING-IN OF OWNERS, CITIZENS AND ALL OTHERS TO TESTIFY:

Property owners and citizens were sworn as to their testimony in the following matters.

3. APPROVAL OF MINUTES FROM JUNE 14, 2018 MEETING:

Ms. Nazim moved approval of the June 14, 2018 meeting minutes as written, seconded by Mr. Brown. The Commission voted 5-0 in favor of the motion. (Ayes: Isakoff, Brown, Biggerstaff, Kollar, Nazim. Nays: None.)

4. REQUEST OF STAFF OF ANY CHANGES TO THE AGENDA:

Co-Code Compliance Administrator Fountain stated that Item 21, 522 Franklin Boulevard, has been pulled from the agenda. The item will be heard as a New Case at the August 9, 2018 meeting.

CONTINUED CASES:

- 5. 5516 Traders Way** (Parcel #0064988) Joanne S. Bower and Tamara Hutchinson, Owners. In the Matter of Order to Repair, Alter or Improve Structure. **Requesting an Order to Repair.** Inspector Roddy Covington. Continued from February 8, 2018 meeting.
(CONTINUED UNTIL AUGUST 9, 2018 MEETING)

Co-Code Compliance Administrator Fountain stated that this property was initially inspected on July 15, 2015. The hearing was held on August 25, 2015 and the Order to Repair or Demolish was issued on September 3, 2015. The Order expired on October 5, 2015. The property did not have to be secured. There are children living in the area where the property is located. There is not a school nearby and there is no history of police complaints. Based on the estimated cost of repairs compared to the current tax value of the structure, staff is requesting an Order to Repair.

Joanne Brower, owner of 5516 Traders Way, said that her goal is to return to the residence as soon as possible. They have worked with the Neighborhood Development Department for assistance and an amount was offered; however, the assistance would extend their mortgage beyond what they can afford. Plans are

under way to secure the front door with a locking system that meets the code. Items are being stored in the property until repairs are complete. An insurance claim will be submitted to cover damages caused by a fallen tree that damaged the ceiling inside the home. The insurance company will be in charge of the timeline once the claim has been approved. All electrical switch covers have been replaced.

Counsel Jones noted that this item was pulled from the February, 2018 agenda and was not heard on that day. Therefore, this is technically a new case.

Counsel Jones asked Co-Code Compliance Administrator Fountain if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was inspected was July 9, 2018; this property is not a multifamily property; and there are more than five separate minimum types of violations or one major type of any of the minimum housing standard codes. Co-Code Compliance Administrator Fountain agreed with these questions.

Co-Code Compliance Administrator Fountain said that the list of violations include cracked or missing electrical outlet covers and switchplate covers; power not on at time of inspection; doors difficult to operate; missing smoke detectors; heat not on at time of inspection; plumbing facilities must be maintained in a safe, sanitary and functional condition; water not on at time of inspection; water heater not properly installed or maintained; unclean and unsanitary floors, ceilings and/or walls; loose floor covering must be repaired or replaced; ceiling contains holes, loose material and/or in disrepair; and plumbing pipes or fixtures are broken.

Responding to questions, Ms. Brower explained that the damage to the ceiling inside the house was due to a fallen tree. The claim was submitted two weeks ago although the damage occurred around the end of March. She explained that there was a lapse in filing time due to her research to determine if the insurance company would cover a claim for damages other than structural damage on the outside of the home. The initial damage was from the outside although the ceiling inside the home was also damaged. They are currently not living in the property. They do not have a contractor at this point and she was unsure how long it would take to do the repair work. She estimated it could take 6 months to finish the work. A water heater and other items will be needed.

Acting Chair Isakoff was supportive of continuing this case for one month so that an update can be provided about the insurance claim and progress finding a contractor.

Acting Chair Isakoff moved to continue this case until the August 9, 2018 meeting, seconded by Mr. Brown. The Commission voted unanimously 5-0 in favor of the motion. (Ayes: Isakoff, Brown, Nazim, Biggerstaff, Kollar. Nays: None.)

6. **1911 McKnight Mill Road** (Parcel #0079220) Adolfo Espitia Jr., Owner. In the Matter of Order to Repair, Alter or Improve Structure. **Requesting an Order to Repair.** Inspector Jarod LaRue. Continued from February 9, 2017; June 8, 2017; September 14, 2017; October 12, 2017; November 9, 2017; January 11, 2018; March 8, 2018; and April 12, 2018 meetings.
(CONTINUED UNTIL SEPTEMBER 13, 2018 MEETING)

Co-Code Compliance Administrator Fountain stated that this property was initially inspected on November 18, 2015. The hearing was held on May 17, 2015 and the Order to Repair or Demolish was issued on the same day. The Order expired on June 16, 2015. The property did not have to be secured. There are children living in the area where the property is located. There is not a school nearby and there is no history of police complaints. Based on the estimated cost of repairs compared to the current tax value of the structure, staff is requesting an Order to Repair.

There was no one present to speak on this case.

Inspector LaRue said that he received an email from the owner who could not be present at this meeting. Mr. Espitia is meeting with a contractor at the property trying to finalize the work. He plans to call for an inspection. He requested a continuance of two months in the email. Inspector LaRue read the email from Mr. Espitia into the record.

Inspector LaRue was at the property last week. An air conditioning unit has been installed as well as a crawl space door. Chief Building Inspector Sheffield confirmed that a mechanical inspection is scheduled for today.

Mr. Brown moved to continue this case until the September 13, 2018 meeting, seconded by Ms. Nazim. The Commission voted unanimously 5-0 in favor of the motion. (Ayes: Isakoff, Brown, Nazim, Biggerstaff, Kollar. Nays: None.)

7. 1627 Cody Avenue (Parcel #0046784) Celestine and Juana Gonzalez. In the Matter of Order to Repair, Alter or Improve Structure. **Requesting an Order to Demolish.** Inspector Jarod LaRue. Continued from April 12, 2018 and May 10, 2018 meetings.
(INSPECTOR'S ORDER OVERTURNED)

Co-Code Compliance Administrator Fountain stated that this property was initially inspected on September 6, 2015. The hearing was held on October 3, 2017 and the Order to Repair or Demolish was issued on the same day. The Order expired on November 6, 2017. The property did not have to be secured. There are children living in the area where the property is located. There is not a school nearby and there is no history of police complaints. Based on the estimated cost of repairs compared to the current tax value of the structure, staff is requesting an Order to Demolish.

Bernard Hicks, 130 East Fisher Drive, is with People First Realty. He has been retained by the owner, Mr. Gonzalez, because there is some confusion about what is being done at the property. The room addition has turned into new construction and they are in process of getting new permits. He has been informed about setback requirements and the need for another sketch. The original room addition has turned into a full blown new construction. The foundation must be relocated to be in the center of the plot due to setback requirements and the whole process will take long than they originally thought.

Chief Building Inspector Sheffield explained that the house is technically no longer there. It was torn down to the footings and then they started redoing it. There is an entirely new permit on the house now. He was unsure how to proceed because this house has already been demolished and therefore, there are no violations.

Mr. Kollar asked if the Commission deals with new construction such as this. Counsel Jones said that technically they do not deal with new construction. However, the question is have the violations been abated by the demolition or are there violations because the foundation is still there.

Chief Building Inspector Sheffield said that the old foundation is longer there. The owner took the house down to the existing footings and then he repaired some of them and laid the foundation back up.

Acting Chair Isakoff asked if the status of the house when it was the most demolished would be equivalent to an Order to Demolish having been entered and executed. Chief Building Inspector Sheffield assumed it would be and said that if a house is taken down to the ground it is considered demolished. Responding to questions, he said this item is on the agenda today because it is a continued case.

Acting Chair Isakoff asked if there is a certification to confirm a demolition has occurred. Counsel Jones clarified for the record that the owners did not get a permit to demolish this house.

Chief Building Inspector Sheffield said that the owner did get a building permit to do the repairs. As the repairs were being done, additional problems were discovered that required him to tear up the entire house.

Mr. Kollar moved to return the case to staff for them to figure out what they need to do. There was no second and the motion failed.

Counsel Jones suggested if the Commission believes they do not have jurisdiction because the owner abated the violations, then the Inspector's Order should be overturned instead. A minimum of four votes would be required for approval of the motion. There is a valid building permit on the site which would give them at least six months or a year to complete the work. Chief Building Inspector Sheffield said that they would have a year because they already had inspections on the original permit. Counsel Jones summarized that the problem is that the owner did not do things in the proper sequence of permitting.

Acting Chair Isakoff asked if it would make more sense to mark this as an ex post facto demolition or to overturn the Inspector's Order and say there are no more violations.

Mr. Brown felt the Inspector's Order should be overturned while Mr. Kollar preferred to return the matter back to staff. Acting Chair Isakoff felt it made sense to overturn the Inspector's Order which would remove it from the purview of the Commission.

Mr. Brown moved to overturn the Inspector's Order, seconded by Acting Chair Isakoff. The Commission voted 4-1 in favor of the motion. (Ayes: Isakoff, Brown, Biggerstaff, Nazim. Nays: Kollar.)

- 8. 1116 Ardmore Drive (Parcel #0023144)** RaVonda Meachem, Owner. In the Matter of Order to Repair, Alter or Improve Structure. **Requesting an Order to Demolish.** Inspector Kenneth Taylor. Continued from May 10, 2018 meeting.
(CONTINUED UNTIL AUGUST 9, 2018 MEETING)

Co-Code Compliance Administrator Fountain stated that this property was initially inspected on July 6, 2016. The hearing was held on July 27, 2016 and the Order to Repair or Demolish was issued on the same day. The Order expired on August 5, 2016. The property did not have to be secured. There are no children living in the area where the property is located. There is not a school nearby and there is no history of police complaints. Based on the estimated cost of repairs compared to the current tax value of the structure, staff is requesting an Order to Demolish.

There was no one present to speak on this case.

Inspector Taylor spoke with the owner on July 6, 2018. She was planning to attend this meeting at that time. He said the outside of the home has been painted. He has seen no improvement since the last meeting and no progress has been made other than painting. She had a new roof put on her primary home but no other work has been done to this house. He estimated the work could be finished in two months. The owner's concern is that all contractors in the area are dealing with tornado damage and are prioritizing people who live in their damaged homes.

Mr. Brown noted that at the last meeting the owner said that substantial progress could be made by this meeting. The owner would have 90 days to repair the structure if the Inspector is upheld.

Mr. Brown moved to uphold the Inspector. There was no second to the motion and the motion failed.

It was noted that no permits are needed for the work that must be done.

Mr. Kollar moved to continue this case until the August 9, 2018 meeting, seconded by Ms. Biggerstaff. The Commission voted 4-1 in favor of the motion. (Ayes: Isakoff, Kollar, Biggerstaff, Nazim. Nays: Brown.)

Mr. Kollar asked staff to inform the owner that she needs to attend the August meeting with a specific plan to correct the violations.

9. **1812 Sherwood Street** (Parcel #0014765) Thomas E. McFadden Guardians, Owner. In the Matter of Order to Repair, Alter or Improve Structure. **Requesting an Order to Demolish.** Inspector Logan Rustan. Continued from October 12, 2017; November 9, 2017; January 11, 2018; March 8, 2018; and April 12, 2018 meetings.

(CONTINUED UNTIL OCTOBER 11, 2018 MEETING)

Co-Code Compliance Administrator Fountain stated that this property was initially inspected on January 27, 2016. The hearing was held on February 16, 2016 and the Order to Repair or Demolish was issued on June 20, 2016. The Order expired on July 20, 2016. There are children living in the area where the property is located. There is not a school nearby and there is no history of police complaints. Based on the estimated cost of repairs compared to the current tax value of the structure, staff is requesting an Order to Demolish.

Ronald Jessup, 208 Burton Farm Road, Brown Summit, North Carolina, is the contractor on this job. They have secured an electrician and a plumber and the air conditioning quote was due today. They have done some clean-up at the property and the electrical work has started. He requested 120 days to complete the work.

Chief Building Inspector Sheffield said that there are building permits, electrical, and plumbing permits for both units. There are no mechanical permits at this time. Progress is being made and actual work has commenced.

Acting Chair Isakoff moved to continue this case until the October 11, 2018 meeting, seconded by Mr. Brown. The Commission voted 5-0 in favor of the motion. (Ayes: Isakoff, Biggerstaff, Brown, Kollar, Biggerstaff. Nays: None.)

10. **219 Lyndon Street** (Parcel #0000930) Cheri Potter Williams, Emma Potter and Patricia Potter Andres, Owners. In the Matter of Order to Repair, Alter or Improve Structure. **Requesting an Order to Repair or Demolish.** Inspector Don Sheffield. Continued from April 12, 2018 meeting.
(INSPECTOR UPHELD)

Co-Code Compliance Administrator Fountain stated that this is a commercial property. It was initially inspected on August 25, 2017. The hearing was held on December 5, 2017 and the Order to Repair or Demolish was issued on March 4, 2018.

Peyton Mansure, 901 Battleground Avenue, is an Attorney representing two of the three owners, Emma Potter and Patricia Potter Andrews. At the last meeting, they had issues dealing with the actual violations as well as ownership of the property and whose responsibility it would be to fix the violations. Since the last meeting, his clients have made efforts to correct some of the problems. They paid a contractor \$500 to remove brush, trees, and scrap metal from the property and they hired a pest control company to spray herbicides although they were prevented from doing so by the other owner of the property. They secured a quote to have the entire property demolished and cleared. The three sisters inherited this property from their parents and there is an ongoing dispute about who owns what and whose responsibility it is to repair the property. They have been trying to resolve this issue without court action but they have not been successful. The next step is to partition this property as well as four other properties that are also owned by the three sisters. He asked for a 90 day continuance to work toward resolving these issues and starting the partition proceeding.

Responding to questions, Mr. Mansure clarified there would be a partition sale with the proceeds divided among the three owners. He did not expect the partition proceedings to be completed at the end of 90 days because there are five properties in total.

Cheri Williams, 3411 Kirby Drive, is a co-owner of this property. She updated members on conversations with Preservation Greensboro and said a structure on the property was formerly a horse and carriage stable. She has been in agreement to sell this property and list it with a broker. She wants to list the

property and not just have a partition sale. She felt there would be more people who are interested in the property which would lead to more money from the sale. She has been working on the main storage units trying to clear them out. There were squatters in the storage units and they paid to have the lot cleared and the units cleaned out. There are no more squatters at the property.

Acting Chair Isakoff commented that it sounds like everyone is interested in selling the property. He asked Ms. Williams and Mr. Mansure, representing the other two siblings, if a market sale is possible as opposed to a partition sale. Ms. Williams said she wanted to list the property with a broker.

Chief Building Inspector Sheffield said that the video being shown to members was taken in April, 2018. The property hasn't changed much except that it is greener now. Some of the trash is gone but more gets trash gets put back.

Mr. Mansure said that realistically this property will end up being ordered by a court to be sold with the proceeds divided up. The situation is difficult as one sibling lives in Arizona and it is hard to get everybody to logistically come together on this. They have made efforts since the last meeting to come together and try to sell the property without the courts and it has not happened. Without an order from the court, he felt this matter could keep going on and on.

Officer Douglas Campbell, Greensboro Police Department, was present for Officer Larry Roberts who could not attend today's meeting. This property is across from the railroad tracks next to the day shelter. Officer Roberts told him the property is still a very common daytime hangout for homeless folks. He noted that the call history indicated that five of the seven calls for service at the property in 2017 were made by the owners or representatives of the owner. The owners have tried to reach out to the police department. There is no presence by owners or employees to supervise the property and there is a lot of brush and open space for people to hide.

Timothy Hinshaw, Fire Marshall, 1512 North Church Street, was present to speak on this property. The fire department responded to a commercial fire at this property on August 24, 2017. There is drug use and people are actually living in the storage units. They are using the individual storage containers as single-family residences. They began fining the family on a daily basis after no results were achieved trying to work with the family. The fire department's concern is that they have yet to secure the property. They asked the family to put up addresses and put up fences. There is a lot of debris that needs to be removed. The property is one large lot that is broken up by a train spur to the left. They have yet to find anyone who can give them keys to let them into the other parcel. The broken fence can be climbed through, there are numerous vehicles on site, and the building is in disrepair and falling down. He has attempted to meet with all the family members who were unable to make a resolution. The fire department needs addresses, the building needs to be secured, and a major clean-up needs to occur.

Responding to a question, Mr. Hinshaw said that there was a danger to squatters who come into the property.

Mr. Kollar moved to uphold the Inspector, seconded by Ms. Biggerstaff.

Acting Chair Isakoff held the vote so that Ms. Williams could respond to comments that have been made. She said that the comments were old concerns. There have been no recent arrests and no recent trespassing at the property. They cleaned out all the mini-storage units and the mattresses and they complied as much as they could. Her sister's son used a backhoe at the property to clean it up and tear down the shrubbery. There is no one living in the units.

Officer Campbell said that there has been no recent call history to the police department and no current arrests. He reiterated that the property is a common daily hangout for homeless folks.

Chief Building Inspector Sheffield said that a padlocked chain linked fence surrounds part of the property but it can be entered via the railroad tracks. There are places where access can be gained by going under the fence. The building is still in disrepair.

Mr. Mansure reiterated that substantial efforts and improvements have been made at the property since the initial violations. Chief Building Inspector Sheffield agreed and said that the video being shown looks substantially better than it appeared on August 25, 2017. Mr. Mansure requested this matter be continued instead of upheld.

Mr. Kollar commented said that the Commission's priority is the safety at the property. The property has been cleaned up but people are still going into it and it is a danger to them. The Commission needs a plan by the owners moving forward and he noted this matter has been before Commission for a year.

Mr. Mansure said they have concrete plans to continue to do what they can to resolve the violations as well as the underlying issues of who owns the property and is responsible for it.

Fire Marshall Hinshaw responded to a question from Mr. Brown and said he was last at the property two months ago. He noticed loose combustibles in the buildings that represent a hazard to fire fighters getting into the property. Everything that the owners are repairing is getting undone because no one is currently present at the property every day or living there. It is his professional opinion that the property is a significant hazard and cannot exist this close to the downtown area.

Although he was sympathetic to the property interests of the family involved, Acting Chair Isakoff said that it is the Commission's goal to protect the safety, health, morals, and welfare of the people within the City of Greensboro. The property is clearly a fire hazard and people are living there.

Ms. Williams stated that no one is currently living at the property. The concerns that were stated are from a year ago. Mr. Kollar appreciated efforts that were made to clean up the property. He commented that even if there is no one living at the property right now, the property is not secure and there is no way to insure squatters will not enter.

Mr. Kollar said if the motion to uphold the Inspector is approved, the owners will have 90 days to come to an agreement and move forward on this. Acting Chair Isakoff clarified that because this is a commercial property, the owners would have 60 days instead of 90 days.

Acting Chair Isakoff called for a vote on the motion made previously by Mr. Kollar to uphold the Inspector, seconded by Ms. Biggerstaff. The Commission voted 5-0 in favor of the motion. (Ayes: Isakoff, Kollar, Brown, Biggerstaff, Nazim. Nays: None.)

Acting Chair Isakoff stated that the property involved in this matter is located at **219 Lyndon Street** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has been condemned by the Building Inspector and is unsafe because the building or structure is in a condition that appears to meet one or more of the following conditions: (a) Constitutes a fire or safety hazard; (b) Is dangerous to life, health, or other property; (c) Is likely to cause or contribute to blight, disease, vagrancy, or danger to children; (d) Has a tendency to attract persons intent on criminal activities or other activities which would constitute a public nuisance. The continuation of the building or structure in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unsafe for human occupation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unsafe; the Order of the Building Inspector is proper in all respects. Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

NEW CASES:

- 11. 1008 South English Street** (Parcel #0021337) Thomas McFadden Guardians, Owner. In the Matter of Order to Repair, Alter or Improve Structure. **Requesting an Order to Repair.** Inspector Kenneth Taylor.
(CONTINUED UNTIL AUGUST 9, 2018 MEETING)

Co-Code Compliance Administrator Fountain stated that this property was initially inspected on October 16, 2017. The hearing was held on November 14, 2017 and the Order to Repair or Demolish was issued on November 15, 2017. The Order expired on December 15, 2017. The property had to be secured. There are children living in the area where the property is located. There is not a school nearby and there is a history of police complaints. Based on the estimated cost of repairs compared to the current tax value of the structure, staff is requesting an Order to Repair.

Counsel Jones asked Co-Code Compliance Administrator Fountain if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was inspected was July 6, 2018; this property is not a multifamily property; and there are more than five separate minimum types of violations or one major type of any of the minimum housing standard codes. Code Compliance Division Manager Fountain agreed with these questions.

Co-Code Compliance Administrator Fountain said that the list of violations include all windows and window frames shall be kept in sound condition, good repair and be weathertight; missing smoke detectors; bedroom must have a door and interior lock; cracked or missing electrical outlet and switchplate covers; electrical equipment needs to be properly installed and maintained; roof drains, gutters and downspouts, if provided, shall be maintained in good repair and free of obstruction; exterior walls shall be free of holes, breaks and loose or rotting materials; breakers need to be properly labeled; clean out cover missing in backyard; all handrails and guardrails shall be firmly fastened and shall be able to resist a load of 200 lbs. applied in any direction and shall be maintained in good condition; screens required on windows; all windows shall be easily operable and capable of being held in position by window hardware; all windows and window frames shall be kept in sound condition, good repair and be weathertight; bathrooms are required to have a door with an interior locking mechanism for privacy; all appliances shall be capable of performing the intended function; all cracked or loose plaster, decayed wood or other defective surface conditions shall be repaired or replaced; replace missing or damaged glass; correct the following: tenants do not have keys for bars on windows; crawl space door at front of home falling apart; carport is damaged; roof coverings and flashing shall be sound and have no defects that would admit rain to penetrate; and exterior walls shall be free of holes, breaks and loose or rotting materials;.

Ronald Jessup, 208 Burton Farm Road, Brown Summit, North Carolina, informed the Commission that the contractor indicated that most all of the repairs have been completed. The garage is the only thing left to be done. Mr. Jessup has not been to the property.

Inspector Taylor said that video was taken in April, 2018. He stated that there are still violations at the property. Counsel Jones pointed out that it was stated earlier the last inspection of the property was July 6, 2018. The speaker is testifying that most of the violations have been corrected; however, the video being shown shows otherwise. Inspector Taylor stated that nothing has been done to this property. They claim to be busy making repairs to Mr. McFadden's other properties. Mr. Kollar said that the videos should be up to date and in sync with the visits to the property. Inspector Taylor reiterated that to his knowledge, nothing at the property has been corrected.

Mr. Jessup said he was informed of the repairs by the contractor but he has not actually seen them. He was last at the property in mid-June. Mr. Kollar explained to Mr. Jessup that when testimony is given, it needs to be firsthand and not hearsay.

Mr. Brown felt this matter should be continued so that a current video can be taken.

It was noted that the property has been secured.

Mr. Brown moved to continue this case until the August 9, 2018, seconded by Acting Chair Isakoff. The Commission voted 5-0 in favor of the motion. (Ayes: Isakoff, Kollar, Brown, Biggerstaff, Nazim. Nays: None.)

12. 3820 Yanceyville Street (Parcel #0046304) Clara Watkins, Owner, In the Matter of Order to Repair, Alter or Improve Structure. Requesting an Order to Repair. Inspector Carla Harrison. (CONTINUED UNTIL AUGUST 9, 2018 MEETING)

Co-Code Compliance Administrator Fountain stated that this property was initially inspected on May 3, 2017. The hearing was held on September 12, 2017 and the Order to Repair or Demolish was issued on October 4, 2017. The Order expired on October 26, 2017. The property did not have to be secured. There are children living in the area where the property is located. There is not a school nearby and there is a history of police complaints. Based on the estimated cost of repairs compared to the current tax value of the structure, staff is requesting an Order to Repair.

Counsel Jones asked Co-Code Compliance Administrator Fountain if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was inspected was June 25, 2018; this property is not a multifamily property; and there are more than five separate minimum types of violations or one major type of any of the minimum housing standard codes. Code Compliance Division Manager Fountain agreed with these questions.

Co-Code Compliance Administrator Fountain said that the list of violations include water not on at time of inspection; all exterior surfaces shall be maintained in good condition and shall be protected from decay by means of paint or other protective covering; exterior walls shall be free of holes, breaks and loose or rotting materials; exterior walls not weatherproof; roof drains, gutters and downspouts, shall be maintained in good repair and free of obstruction; roof water shall not be discharged in a manner that creates a public nuisance; all accessory structure, including detached garages, fences and walls shall be maintained structurally sound and in good repair; unclean and unsanitary floors, ceilings and/or walls; all peeling, chipping, flaking or abraded paint shall be repaired, removed or covered; all cracked or loose plaster, decayed wood or other defective surface conditions shall be repaired or replaced; loose floor covering must be repaired or replaced; cracked or missing electrical outlet covers; electrical panel loose or damaged; doors difficult to operate; interior stairs with more than four risers shall have a handrail on one side of the stair; missing smoke detectors; carbon monoxide detector required; plumbing fixtures leak; heat not on at time of inspection; all exterior property and premises and the interior of every structure shall be kept free from accumulation; all structures shall be kept free from insect and rodent infestations; doors providing access to dwelling or a leased rooming unit shall be equipped with deadbolt lock designed to be readily openable from interior, without use of keys or special effort; windows are required to have an approved sash locking device; all windows shall be easily operable and capable of being held in position by window hardware; all windows and window frames shall be kept in sound condition, good repair and be weathertight.

There was no one present to speak on this case.

Inspector Harrison said she has been in constant contact with the owner's daughter and she was surprised that she was not present. The owner of the property passed away on December 17, 2017 and the daughter is doing the repairs. She has cleaned up the property and has put up electrical outlet covers and plates.

Acting Chair Isakoff commented that although there are a lot of little things that need to be corrected, there are no major repairs.

In the event a continuance is granted, Mr. Kollar asked that the Inspector make it clear to the owner that she must show up to the meeting with a plan and timeline moving forward.

Mr. Kollar moved to continue this case until the August 9, 2018 meeting, seconded by Acting Chair Isakoff. The Commission voted 5-0 in favor of the motion. (Ayes: Isakoff, Kollar, Brown, Biggerstaff, Nazim. Nays: None.)

- 13. 1311 Spry Street** (Parcel #0043627) Edward David and Dixie Jo Ratley, Owners. In the Matter of Order to Repair, Alter or Improve Structure. **Requesting an Order to Repair.** Inspector Carla Harrison.

(CONTINUED UNTIL SEPTEMBER 13, 2018 MEETING)

Co-Code Compliance Administrator Fountain stated that this property was initially inspected on September 14, 2017. The hearing was held on November 14, 2017 and the Order to Repair or Demolish was issued on the same day. The Order expired on December 14, 2017. The property did not have to be secured. There are children living in the area where the property is located. There is a school nearby and there is a history of police complaints. Based on the estimated cost of repairs compared to the current tax value of the structure, staff is requesting an Order to Repair.

Counsel Jones asked Co-Code Compliance Administrator Fountain if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was inspected was June 25, 2018; this property is not a multifamily property; and there are more than five separate minimum types of violations or one major type of any of the minimum housing standard codes. Code Compliance Division Manager Fountain agreed with these questions.

Co-Code Compliance Administrator Fountain said that the list of violations include heating system not maintaining 68 degrees in habitable rooms and bathrooms; and heat not on at time of inspection.

Ed Ratley, 7804 Southerland Drive, Brown Summit, North Carolina was present to speak on the property. His intention is to completely remodel the inside of the property but recent health problems resulted in several hospitalizations. The repairs would have been made had he not fallen ill. He asked for a continuance to make the repairs. Although he has been a contractor for 40 years, he plans to ask his son to do the work. Mr. Kollar advised him to take care of the violations first when considering his plan to remodel. He said he could get everything squared away if given a 60 day continuance.

Mr. Kollar moved to continue this case until the September 13, 2018 meeting, seconded by Mr. Brown. The Commission voted 5-0 in favor of the motion. (Ayes: Isakoff, Kollar, Brown, Biggerstaff, Nazim. Nays: None.)

- 14. 3604 Busic Avenue** (Parcel #0021031) Delasio and Alice Foust, Owners. In the Matter of Order to Repair, Alter or Improve Structure. **Requesting an Order to Demolish.** Inspector Jarod LaRue.
(CONTINUED UNTIL AUGUST 9, 2018 MEETING)

Co-Code Compliance Administrator Fountain stated that this property was initially inspected on July 19, 2016. The hearing was held on August 9, 2016 and the Order to Repair or Demolish was issued on October 17, 2017. The Order expired on November 17, 2017. The property did not have to be secured. There are children living in the area where the property is located. There is a school nearby and there is no history of police complaints. Based on the estimated cost of repairs compared to the current tax value of the structure, staff is requesting an Order to Demolish.

Counsel Jones asked Co-Code Compliance Administrator Fountain if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was inspected was July 6, 2018; this property is not a multifamily property; and there are more than five separate minimum types of violations or one major type of any of the minimum housing standard codes. Code Compliance Division Manager Fountain agreed with these questions.

Co-Code Compliance Administrator Fountain said that the list of violations include all exterior surfaces shall be maintained in good condition and shall be protected from decay by means of paint or other protective covering; roof coverings and flashing shall be sound and have no defects that would admit rain to penetrate; ceiling contains holes, rotten or in disrepair; loose floor covering must be repaired or replaced; deck, porch and/or patio rotten or in disrepair; exterior walls shall be free of holes, breaks and loose or rotting materials; exterior walls not weatherproof; cracked or missing electrical outlet cover; electrical panel loose or damaged; exposed wiring at light fixture; unsafe electrical wiring; missing smoke detectors; water heating facilities shall have an approved relief valve with discharge pipe properly installed; plumbing fixture/toilet loose, not properly secured; kitchens shall contain enough space to store, prepare, serve and dispose of foods in sanitary manner; unclean and unsanitary floors, ceilings and/or walls; rotten flooring must be repaired; rotten roof sheathing; ceiling contains holes, loose material and/or in disrepair; all exterior doors and door frames shall be kept in sound condition, good repair and be weathertight; doors providing access to dwelling unit or leased rooming unit shall be equipped with deadbolt lock designed to be readily openable from interior without use of keys or special effort; screens required on windows; all windows shall be easily operable and capable of being held in position by window hardware; all windows and frames shall be in sound condition, good repair and be weathertight; loose floor covering must be repaired or replaced; all cracked or loose plaster, decayed wood or other defective surface conditions shall be repaired or replaced; doors difficult to operate.

Delasio Foust, 3604 Busic Avenue, said this property was given to him by his parents. He is no longer staying at the property and he feels the property will have to be demolished. It is not economical for him to do anything else. He has to finish clearing off the damage from the tornado and secure a storage facility to move the items of value into so he can begin cleaning up the house and head toward the demolition process.

Acting Chair Isakoff asked if he would prefer the City to demolish the house. There would be 90 days from today if an Order for Demolition was entered. The property would go into the City's line for demolition cases. They would put a lien on the property for the cost of the demolition. If the lien amount was not paid then the City would assert its rights on the property. Mr. Foust described his financial situation and indicated he would prefer to demolish the property himself. He is in process of clearing the property and getting a storage facility so that the inside can be cleaned up.

Responding to questions from the Commission, Mr. Foust said that he has not considered selling the property. He explained personal circumstances and said he would like to demolish the property himself but he does not have the money right now. Mr. Foust said it is not cost effective or feasible for him to repair the property. He does not have the time and has no source of money to make the repairs. He has been denied money to help with repairs from two different City organizations. FEMA rejected his application and the business loan connected with that was also denied.

Mr. Kollar asked Counsel Jones about guidelines for the City to offer financial assistance. It will take \$11,000 to repair the property which is 65 percent of the value of the property. Counsel Jones indicated that there are many different loan programs but the primary one is the owner-occupied loan program. This property is not the owner's primary residence. There is a loan program for landlords.

Mr. Foust said the property is not owner occupied because he will not move his child into the property as it stands. At one point in time, he lived in the house trying to fix it up but his family circumstances are different now. Financially, unless there is an option he is not aware of, it is in his best interest to demolish the house.

Responding to additional questions, Mr. Foust said he has not considered selling the house to get the money from it. He owns the house but needs to have the title transferred over.

Acting Chair said that on the title search, Mr. Foust is on the title with his mother, Alice Foust.

Acting Chair Isakoff said he was inclined to uphold the Inspector which would give Mr. Foust 90 days to demolish the property before it goes into the City's line for demolition. It would be more than three months before it would be torn down which would give Mr. Foust the time he needs to get the storage together.

Mr. Brown felt that since this is a new case and it is the first time Mr. Foust has come before the Commission, a continuance of 30 days should be given for him to talk to his mother about the situation and do some research about options.

Mr. Kollar said he would like to give more time; however, he was concerned it would not make a difference.

Mr. Foust said that he would like the opportunity to discuss what to do with this property with his mother and then make a decision.

Mr. Brown moved to continue this case until the August 9, 2018 meeting, seconded by Acting Chair Isakoff. The Commission voted 5-0 in favor of the motion. (Ayes: Isakoff, Kollar, Brown, Biggerstaff, Nazim. Nays: None.)

Acting Chair Isakoff called for a break at 3:20 PM. The meeting resumed at 3:40 PM.

15. 201-A Lowdermilk Street (Parcel #0022095) Joseph Venable, Owner, In the Matter of Order to Repair, Alter or Improve Structure. Requesting an Order to Repair. Inspector Jarod LaRue. (CONTINUED UNTIL SEPTEMBER 13, 2018 MEETING)

Co-Code Compliance Administrator Fountain stated that this property was initially inspected on July 7, 2017. The hearing was held on August 10, 2017 and the Order to Repair or Demolish was issued on the same day. The Order expired on September 10, 2017. The property did not have to be secured. There are children living in the area where the property is located. There is a school nearby and there is no history of police complaints. Based on the estimated cost of repairs compared to the current tax value of the structure, staff is requesting an Order to Repair.

Counsel Jones asked Co-Code Compliance Administrator Fountain if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was inspected was July 6, 2018; this property is not a multifamily property; and there are more than five separate minimum types of violations or one major type of any of the minimum housing standard codes. Code Compliance Division Manager Fountain agreed with these questions.

Co-Code Compliance Administrator Fountain said that the list of violations include plumbing fixture/toilet loose/not secure; kitchens shall contain enough space to store, prepare, serve and dispose of foods in a sanitary manner; all peeling, chipping, flaking or abraded paint shall be repaired, removed or covered; windows are required to have an approved sash locking device; all windows shall be easily operable and capable of being held in position by window hardware; all exterior surfaces shall be maintained in good condition and shall be protected from decay by means of paint or other protective covering; roof drains, gutters and downspouts shall be maintained in good repair and free of obstruction; all exterior doors and door frames shall be kept in sound condition, good repair and be weathertight; doors difficult to operate; all cracked or loose plaster, decayed wood or other defective surface conditions shall be repaired or replaced; cracked or missing electrical outlet covers and switchplate covers; electrical equipment needs to be properly installed and maintained; unsafe electrical wiring; missing and inoperable smoke detectors.

There was no one present to speak on this case.

Inspector LaRue has been in touch with a representative from Pickering and Company who was hired by family members to manage this property. The owner is currently in an assisted living facility. An email from Pickering and Company was read into the record by Inspector LaRue. A continuance of 30 days was requested to determine the future use of the property and whether or not to bring the property up to rental

standards or to sell the property. They requested 30 days but would like up to 90 days depending on the course of action they decide to take.

Mr. Kollar moved to continue this case until the September 13, 2018 meeting, seconded by Acting Chair Isakoff. The Commission voted 5-0 in favor of the motion. (Ayes: Isakoff, Kollar, Brown, Biggerstaff, Nazim. Nays: None.)

16. 906 Willow Road (Parcel #0013553) Fat Boy Properties, LLC, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Requesting an Order to Demolish. Inspector Jarod LaRue. (INSPECTOR UPHELD)

Co-Code Compliance Administrator Fountain stated that this property was initially inspected on September 26, 2016. The hearing was held on October 25, 2016 and the Order to Repair or Demolish was issued on the same day. The Order expired on November 2, 2017. The property did have to be secured on December 21, 2017. There are children living in the area where the property is located. There is a school nearby and there is no history of police complaints. Based on the estimated cost of repairs compared to the current tax value of the structure, staff is requesting an Order to Demolish.

Counsel Jones asked Co-Code Compliance Administrator Fountain if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was inspected was July 11, 2018; this property is not a multifamily property; and there are more than five separate minimum types of violations or one major type of any of the minimum housing standard codes. Code Compliance Division Manager Fountain agreed with these questions.

Co-Code Compliance Administrator Fountain said that the list of violations include Board, secure or repair building immediately. If not secured as ordered within the prescribed time frame, the City will secure the property and place a lien against the property for the cost; cracked or missing electrical outlet cover and switchplate cover; missing and inoperable smoke detectors; exposed wiring at outlet and light fixture; power not on at time of inspection; doors difficult to operate; duct system must be capable of performing required function; heat not on at time of inspection; each dwelling unit shall contain a bathtub or shower, bathroom sink, toilet and separate kitchen sink and the owner shall maintain all plumbing facilities and fixtures; unclean and unsanitary floors, ceilings and/or walls; all peeling, chipping, flaking or abraded paint shall be repaired, removed or covered; all cracked or loose plaster, decayed wood or other defective surface conditions shall be repaired or replaced; rotten flooring must be repaired; bedroom must have a door and interior lock; windows required to have an approved sash locking device; screens required on doors and windows; screen on doors should be self-closing and latching; all windows shall be easily operable and capable of being held in position by window hardware; replace missing or damaged glass; all exterior surfaces shall be maintained in good condition and shall be protected from decay by means of paint or other protective covering; exterior walls shall be free of holes, breaks and loose or rotting materials; buildings are required to have approved addresses numbers in a position plainly visible from the street. Numbers shall be of contrasting color and a minimum of 4 inches in height; and ceiling contains holes, rotten and/or in disrepair.

There was no one present to speak on this case.

Inspector LaRue stated that the last contact he had with the listed property owner was in November of last year when they were in Florida working on clean-up from a hurricane. Since that time, the property has been unsecured and the property has been broken into several times. He tried to contact the owners prior to this meeting but they were unresponsive.

Mr. Kollar moved to uphold the Inspector, seconded by Ms. Biggerstaff. The Commission voted 5-0 in favor of the motion. (Ayes: Isakoff, Kollar, Brown, Biggerstaff, Nazim. Nays: None.)

Acting Chair Isakoff stated that the property involved in this matter is located at **906 Willow Road** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards and the cost of repair of said violations is greater than 50 percent of the value of the structure. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects. Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

- 17. 1619-7 Rankin Road** (Parcel #0045356) Commerce Place Properties, Owner. In the Matter of Order to Repair, Alter or Improve Structure. **Requesting an Order to Repair.** Inspector Jarod LaRue.
(INSPECTOR UPHELD)

Co-Code Compliance Administrator Fountain stated that this property was initially inspected on December 14, 2015. The hearing was held on January 5, 2016 and the Order to Repair or Demolish was issued on March 6, 2018. The Order expired on April 5, 2018. The property did have to be secured and there are children living in the area where the property is located. There is a school nearby and there is a history of police complaints. Based on the estimated cost of repairs compared to the current tax value of the structure, staff is requesting an Order to Repair.

Counsel Jones asked Co-Code Compliance Administrator Fountain if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was inspected was July 6, 2018; this property is a multifamily property; and there are more than five separate minimum types of violations or one major type of any of the minimum housing standard codes. Code Compliance Division Manager Fountain agreed with these questions.

Co-Code Compliance Administrator Fountain said that the list of violations include cracked or missing electrical outlet and switchplate covers; electrical panel loose or damaged; exposed wiring at outlet and light fixture; power not on at time of inspection; unsafe electrical wiring; missing smoke detectors; all systems, devices and equipment to detect a fire, actuate an alarm or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the International Fire Code; duct system must be capable of performing required function; heat not on at time of inspection; each dwelling unit shall contain a bathtub or shower, bathroom sink; toilet, separate kitchen sink and oven; plumbing facilities must be maintained in a safe, sanitary and functional condition; water supply to all plumbing fixtures shall have adequate volume and pressure to enable fixtures to operate properly; water not on at time of inspection; unclean and unsanitary floors, ceilings and/or walls; structural member of walls unable to support imposed load; all peeling, chipping, flaking or abraded paint shall be repaired, removed or covered; all exterior doors and door frames shall be kept in sound condition, good repair and be weathertight; bathrooms are required to have a door with an interior locking mechanism for privacy; doors providing access to a dwelling unit or a leased rooming unit shall be equipped with a deadbolt lock designed to be readily openable from the interior, without the use of keys or special effort; bedrooms must have a door and interior lockset; windows are required to have an approved sash locking device; screens required on windows; all windows shall be easily operable and capable of being held in position by window hardware; replace missing or damaged glass; all windows and window frames shall be kept in sound condition, good repair and be weathertight; all exterior property and premises shall be maintained in a clean and sanitary condition.

There was no one present to speak on this case.

Inspector LaRue stated that he has been dealing primarily with the property manager of this property. He has had no direct contact with the listed owner or agent. Since this case started there has been a lack of

repairs and the property has not stayed secure. He is not aware of any plans to make repairs to the structure. The property manager was made aware of today's meeting and the need to have someone attend to speak on the property.

Mr. Brown moved to uphold the Inspector, seconded by Ms. Nazim. The Commission voted 5-0 in favor of the motion. (Ayes: Isakoff, Kollar, Brown, Biggerstaff, Nazim. Nays: None.)

Acting Chair Isakoff stated that the property involved in this matter is located at **1619-7 Rankin Road** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards and the cost of repair of said violations is less than 50 percent of the value of the structure. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects. Therefore it is **Ordered, Resolved and Decreed** by vote of the Commission that the Inspector is upheld.

18. 133-A Aunt Mary Avenue (Parcel #0056068) Raynor Management, Owner, In the Matter of Order to Repair, Alter or Improve Structure. **Requesting an Order to Repair.** Inspector Jarod LaRue.
(CONTINUED UNTIL SEPTEMBER 13, 2018 MEETING)

Co-Code Compliance Administrator Fountain stated that this property was initially inspected on January 30, 2017. The hearing was held on August 1, 2017 and the Order to Repair or Demolish was issued on August 7, 2017. The Order expired on September 7, 2017. The property did not have to be secured and there are children living in the area where the property is located. There is a school nearby and there is not a history of police complaints. Based on the estimated cost of repairs compared to the current tax value of the structure, staff is requesting an Order to Repair.

Counsel Jones asked Co-Code Compliance Administrator Fountain if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was inspected was July 9, 2018; this property is a multifamily property; and there are more than five separate minimum types of violations or one major type of any of the minimum housing standard codes. Code Compliance Division Manager Fountain agreed with these questions.

Co-Code Compliance Administrator Fountain said that the list of violations include missing smoke detector; water heating facilities shall have an approved relief valve with a discharge pipe properly installed; plumbing fixture/toilet loose/not properly secured; rotten flooring must be repaired; kitchens shall contain enough space to store, prepare, serve and dispose foods in a sanitary manner; electrical equipment needs to be properly installed and maintained; all windows and window frames shall be kept in sound condition, good repair and be weathertight; all handrails and guardrails shall be firmly fastened and shall be able to resist a load of 200 lbs. applied in any direction and shall be maintained in good condition; doors difficult to operate; and all cracked or loose plaster, decayed wood or other defective surface conditions shall be repaired or replaced.

Phyllis with Raynor Management, 2527 Gilmer Avenue, said that this property is being repaired and remodeled and currently has no tenants. There have been break-ins at the property that were reported to the police department because of vandalism. They have already started to repair the violations. A new toilet has been installed and they are currently working in the kitchen. Smoke detectors were put in the house but vandals have destroyed them. She asked for more time to finish the repairs and felt that the work could be done in 60 days. Someone is working at the property now and they do have a plan moving forward.

Mr. Kollar moved to continue this case until the September 13, 2018 meeting, seconded by Mr. Brown. The Commission voted 5-0 in favor of the motion. (Ayes: Isakoff, Kollar, Brown, Biggerstaff, Nazim. Nays: None.)

At the request of the Raynor Management representative, a copy of the Violations Report was provided for her use.

19. 830 Avalon Road (Parcel #0021491) Tyson Enterprises, Inc., Owners. In the Matter of Order to Repair, Alter or Improve Structure. Requesting an Order to Repair. Inspector Jarod LaRue. (INSPECTOR UPHELD)

Co-Code Compliance Administrator Fountain stated that this property was initially inspected on July 26, 2017. The hearing was held on November 2, 2017 and the Order to Repair or Demolish was issued on the same day. The Order expired on January 16, 2018. The property did not have to be secured. There are children living in the area where the property is located. There is a school nearby and there is no history of police complaints. Based on the estimated cost of repairs compared to the current tax value of the structure, staff is requesting an Order to Repair.

Counsel Jones asked Co-Code Compliance Administrator Fountain if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was inspected was July 6, 2018; this property is not a multifamily property; and there are more than five separate minimum types of violations or one major type of any of the minimum housing standard codes. Code Compliance Division Manager Fountain agreed with these questions.

Co-Code Compliance Administrator Fountain said that the list of violations include open ground outlets; missing smoke detector; carbon monoxide detector required; windows not readily accessible in case of emergency; duct system must be capable of performing required function; heat not on at time of inspection; kitchens shall contain enough space to store, prepare, serve and dispose of foods in a sanitary manner; all structures shall be kept free from insect and rodent infestations; unclean and unsanitary floors, ceilings and/or walls; all exterior doors and door frames shall be kept in sound condition, good repair and be weathertight; windows are required to have an approved sash locking device; screens required on windows; all windows shall be easily operable and capable of being held in position by window hardware; all windows and window frames shall be kept in sound condition, good repair and be weathertight; all handrails and guardrails shall be firmly fastened and shall be able to resist a load of 200 lbs. applied in any direction and shall be maintained in good condition; handrails loose, damaged, improperly maintained; roof drains, gutter and downspouts shall be maintained in good repair and free of obstruction; roof coverings and flashing shall be sound and have no defects that would admit rain to penetrate.

Fred Byerly, 1031 Summit Avenue, was called to this property by a community member on June 1, 2018. Ms. Morgan was living in the property up until June 1, 2018 but does not live there now. At the time Mr. Byerly was at the property, there were three contractors, hired by the owner, drinking beer on the porch and putting all of her property out onto the driveway. Ms. Morgan lived in this house over 20 years and it was already in the system prior to the tornado hitting east Greensboro. The tornado affected the house and caused the bedroom ceiling to fall in. The owner showed no willingness or ability to fix anything in the house and probably used the tornado and condemnation to get the tenant out of the property. Mr. Byerly asked that the Commission consider upholding the Inspector to make the owner fix the house or whatever else needs to happen because nothing will happen otherwise. Mr. Byerly has attempted to work with the owner to fix this house so that Ms. Morgan could move back in but the owner showed no desire to move forward on the property.

For the record, Acting Chair Isakoff stated that as morally repugnant as the landlord's actions are, in terms of what the Commission looks at, the Commission is concerned with the fact that he has expressed zero intent to make repairs.

Inspector LaRue received an email from the owner, Mr. Chandler, which he read into record. He requested 60 to 90 days to repair the property. He indicated an inspection had already been scheduled for tomorrow at the property.

Acting Chair Isakoff noted that with an order to Uphold, the owner will have 90 days to make repairs.

Acting Chair Isakoff moved to uphold the Inspector, seconded by Mr. Brown. The Commission voted 4-1 in favor of the motion. (Ayes: Isakoff, Brown, Biggerstaff, Nazim. Nays: Kollar.)

Acting Chair Isakoff stated that the property involved in this matter is located at **1007 Avalon Road** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards and the cost of repair of said violations is less than 50 percent of the value of the structure. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects. Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

Mr. Kollar stated that he voted against the motion to uphold the Inspector because he heard that Inspector LaRue had plans to meet with the owner tomorrow. Despite what the Commission has seen and heard, it seems to make sense to give the owner more time to repair this property. The motion to uphold the Inspector will still allow time for the owner to make repairs.

20. 1546 McConnell Road (Parcel #0010630) Elizabeth Rogers aka Elizabeth Lindsey and John Lindsey, Owners. In the Matter of Order to Repair, Alter or Improve Structure. **Requesting an Order to Demolish.** Inspector Jarod LaRue.
(INSPECTOR UPHELD)

Co-Code Compliance Administrator Fountain stated that this property was initially inspected on February 20, 2017. The hearing was held on October 10, 2017 and the Order to Repair or Demolish was issued on the same day. The Order expired on April 26, 2018. The property did have to be secured. There are children living in the area where the property is located. There is a school nearby and there is no history of police complaints. Based on the estimated cost of repairs compared to the current tax value of the structure, staff is requesting an Order to Demolish.

Counsel Jones asked Co-Code Compliance Administrator Fountain if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was inspected was July 9, 2018; this property is not a multifamily property; and there are more than five separate minimum types of violations or one major type of any of the minimum housing standard codes. Code Compliance Division Manager Fountain agreed with these questions.

Co-Code Compliance Administrator Fountain said that the list of violations include electrical equipment needs to be properly installed and maintained; exposed wiring at light fixture; power not on at time of inspection; unsafe electrical wiring; missing and inoperable smoke detectors; carbon monoxide detector required; heat not on at time of inspection; plumbing facilities must be maintained in safe, sanitary and functional condition; water not on at time of inspection; unclean and unsanitary floors, ceilings and/or walls; walls have structural members unable to support load; all peeling, chipping, flaking or abraded paint shall be repaired, removed or covered; all cracked or loose plaster, decayed wood or other effective surface conditions shall be repaired or replaced; loose floor covering must be repaired or replaced; correct the following unsafe condition: fire damage; all exterior doors and door frames shall be kept in sound condition, good repair and be weathertight; all windows shall be easily operable and capable of being held in position

by window hardware; all windows and window frames shall be kept in sound condition, good repair and be weathertight; screens required on windows; all exterior surfaces shall be maintained in good condition and shall be protected from decay by means of paint or other protective covering; and all exterior property shall be maintained free from weeds/plant growth in excess of 12 inches.

There was no one present to speak on this property.

Inspector LaRue said he has been in touch with several representatives from Wells Fargo Bank. He had to secure a warrant to access the property for purposes of the video. The property has remained secure but there has been no progress in making repairs. The grounds are being kept up. Staff had to publish this case to get good service.

Counsel Jones said that there is no foreclosure according to the title search that was filed. However, that does not mean that there has not been a private arrangement between the owner and lender.

Mr. Brown moved to uphold the Inspector, seconded by Ms. Biggerstaff. The Commission voted 5-0 in favor of the motion. (Ayes: Isakoff, Brown, Biggerstaff, Nazim, Kollar. Nays: None.)

Acting Chair Isakoff stated that the property involved in this matter is located at **1546 McConnell Road** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards and the cost of repair of said violations is greater than 50 percent of the value of the structure. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects. Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

- 21. 522 Franklin Boulevard** (Parcel #0022386) Dianne G. Nickles, Owner, In the Matter of Order to Repair, Alter or Improve Structure. **Requesting an Order to Repair.** Inspector Jarod LaRue.
(PULLED FROM AGENDA)

This item will be heard as a New Case at the August 9, 2018 meeting.

- 22. 1007 Avalon Road** (Parcel #0021388) Thomas H. Hogshead and T&T Enterprises, Owners. In the Matter of Order to Repair, Alter or Improve Structure. **Requesting an Order to Demolish.** Inspector Jarod LaRue.
(INSPECTOR UPHELD)

Co-Code Compliance Administrator Fountain stated that this property was initially inspected on July 6, 2016. The hearing was held on March 20, 2018 and the Order to Repair or Demolish was issued on March 21, 2018. The Order expired on April 23, 2018. The property did not have to be secured. There are children living in the area where the property is located. There is a school nearby and there is no history of police complaints. Based on the estimated cost of repairs compared to the current tax value of the structure, staff is requesting an Order to Demolish.

Counsel Jones asked Co-Code Compliance Administrator Fountain if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was inspected was July 6, 2018; this property is not a multifamily property; and there are more than five separate minimum types of violations or one major type of any of the minimum housing standard codes. Code Compliance Division Manager Fountain agreed with these questions.

Co-Code Compliance Administrator Fountain said that the list of violations include unclean and unsanitary floors, ceilings and/or walls; all cracked or loose plaster, decayed wood or other defective surface conditions shall be repaired or replaced; rotten flooring must be repaired; all exterior doors and door frames shall be kept in sound condition, good repair and be weathertight; doors providing access to a dwelling unit or a leased rooming unit shall be equipped with a deadbolt lock designed to be readily openable from the interior, without the use of keys or special effort; roof coverings and flashing shall be sound and have no defects that would admit rain to penetrate; all exterior doors and door frames shall be kept in sound condition, good repair and be weathertight; screens required on windows; all windows and window frames shall be kept in sound condition, good repair and be weathertight; all exterior surfaces shall be maintained in good condition and shall be protected from decay by means of paint or other protective covering; exterior walls shall be free of holes, breaks and loose or rotting materials; exterior walls not weatherproof; foundation wall ventilation not maintained or missing; roof drains, gutters and downspouts, if provided, shall be maintained in good repair and free of obstruction; all handrails and guardrails shall be firmly fastened and shall be able to resist a load of 200 lbs. applied in any direction and shall be maintained in good condition; handrails are loose, damaged or improperly maintained; steps are rotten or in disrepair; deck, porch and/or patio flooring rotten or in disrepair; all exterior property shall be maintained free from weeds/plant growth in excess of 12"; all sidewalks, stairs, driveways and similar areas shall be kept in good repair and free of hazardous conditions; power not on at time of inspection; missing smoke detectors; windows not readily accessible in case of emergency; all exterior surfaces shall be maintained in good condition and shall be protected from decay by means of paint or other protective covering; foundation walls shall be maintained plumb and free from cracks, holes, or structural defects.

There was no one present to speak on this property.

Inspector LaRue said that this case had to be published to get good service. The City has to keep the grass cut and the last time he was at the property the crawl space had to be secured. He has not heard from anyone claiming ownership of the property at this time.

Mr. Brown moved to uphold the Inspector, seconded by Mr. Kollar. The Commission voted 5-0 in favor of the motion. (Ayes: Isakoff, Brown, Biggerstaff, Nazim, Kollar. Nays: None.)

Acting Chair Isakoff stated that the property involved in this matter is located at **1007 Avalon Road** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards and the cost of repair of said violations is greater than 50 percent of the value of the structure. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects. Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld

23. 408 Banner Avenue (Parcel #0021100) Krishna Lakshmi Properties, Owner. In the Matter of Order to Repair, Alter or Improve Structure. **Requesting an Order to Demolish.** Inspector Don Sheffield.
(CONTINUED UNTIL SEPTEMBER 13, 2018 MEETING)

Co-Code Compliance Administrator Fountain stated that this is a commercial property that was initially inspected on April 18, 2016. The hearing was held on February 26, 2018 and the Order to Demolish was issued on the same day. The Order expired on April 30, 2018. The property did have to be secured on three occasions. Staff is requesting an Order to Demolish.

Counsel Jones asked Chief Building Inspector Sheffield if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and

orders issued in this matter; and the last time the property was inspected was July 9, 2018. He agreed with these questions.

Counsel Jones asked how the structure constitutes a fire or safety hazard; is dangerous to life, health and other property; is likely to cause or contribute to blight, disease, vagrancy, or danger to children; and has a tendency to attract persons intent on criminal activities or other activities which would constitute a public nuisance. Chief Building Inspector Sheffield said that on April 19, 2016 the fire department told him the building was unsecured and had vagrants in it. He went to the property and verified it was unsecured. He boarded and secured it and the owner secured it again. Three months later it was unsecured again and there was illegal dumping on the site. He contacted the owner who secured the property once again. On December 7, 2017, Captain David Garrett with the Fire Department notified him that the property was not secured and vagrants were living there. The owner was notified and this time they did not secure the property.

Mahesh Chhabria, 4705 Hanberry Drive, is the property owner. This property has been vacant for a while. It was purchased with the intention of trying to convert it into a community service use. They have secured it on multiple occasions. He had just undergone open heart surgery the last time he was contacted and was not able to coordinate securing the property. He has tried his best to keep the site safe as much as possible. It was completely packed with automobiles on the inside that he has removed because it was hazardous. The doors were rendered shut but somehow they get broken open and the glass keeps getting broken into. They have been working with Max Sims of East Market Development and City Councilwoman Sharon Hightower has also been helping him to put something into place there. Unfortunately, the tornado has put things a little to the back burner as far as making plans for the building. A local medical facility called Mustard Seed wanted to move into the building and they worked together for six months until the facility experienced financial issues. He is looking to get something into the structure unless they demolish the whole thing. There is no condemnation on the property and the structure is pretty solid. They are trying to work with several different entities to reuse the structure instead of demolishing it. It was a challenge to clean the structure up following the tornado but it is now clean on the exterior. He has a company coming in two weeks to clear out the entire building and then they will try to secure it again.

Chair Isakoff asked what was done two years prior to the tornado to fix these violations. Mr. Chhabria said that they have completely boarded up the structure and welded the doors back into place. He does not know how the vandals break into the structure.

Mr. Kollar asked for a specific timeline and plan for the building. Mr. Chhabria said they want to convert the property as it is and in fact, an entity from Charlotte came and wanted to put a private school in the building. Their board meets in August and once that happens, they will communicate their intentions. Responding to questions, he said the property was purchased three or four years ago. They didn't do anything with the property for the first one or two years. Their original intention was to resell it. He was introduced to City Councilwoman Sharon Hightower who had some ideas as to how to use the property for community service. It has taken a while to bring all the pieces together but he feels they are at the point that in the next six months there should be a concrete project.

Greensboro City Councilwoman Sharon Hightower said that it was brought to her attention 18 months ago that this property was available. It is in a great location and the City is looking to revitalize that area. She met with Mr. Chhabria at that time and he indicated he wanted to do something that the community would like to see there. He had plans for a senior living facility on the site and plans had already been drawn up for that type of building. They have reached out to developers to see who is interested in developing that particular area and they called the Mustard Seed, who wants to move from where they presently are. The business would be a very good enhancement for the area. Initially they did not want a charter school in the area. They wanted some nice senior homes and it has been proven statistically that seniors have a need for good and affordable housing. She stated that Mr. Chhabria has been gracious enough to have these conversations with her when he probably could have sold the building on many occasions. She appreciated that he wants to work with the community. They have delayed Mr. Chhabria on some of his efforts reaching out to developers and trying to find funding opportunities for this particular property. It is a great location as

the City moves forward for east Greensboro. She commented that sidewalks are planned for this whole area. The tornado has obviously thrown everyone behind and she noted that currently there are four or five new houses being rebuilt right next to this property. She was in agreement that the property must be secured to deter vagrants. She felt that Mr. Chhabria does mean what he says and said she was present to help explain why this project has been stagnant for the last several months.

Acting Chair Isakoff asked if any of the projects that were mentioned seem feasible or have seen any action; and also if there are any resources available to secure this property in the immediate future as security is the main concern.

Councilwoman Hightower agreed that security is a concern and she said that funding is always the issue. Funding is not as readily available for community projects as with other types of money-generating projects. Mustard Seed has already designed their own plans with rooms where patients can be seen and then treated. Mustard Seed's plan has been incorporated with the senior housing plan where seniors will be able to live and have health care close by. Max Sims has been working to connect this property to developers who are interested. She mentioned another possible use for the building as a community center because there is not a library or recreation center close by. There is a need in this area for those types of projects. She is open to finding funding sources and sitting down for discussions.

Officer Douglas Campbell, Greensboro Police Department, 2602 South Elm Street, stated that he was alerted to this property two years ago and has been checking on it when he drives by. He accesses the property with a driveway off of Banner Avenue and he said the main door has always been open. There are other unsecured places on the property as well. The property is popular for commercial dumping. In defense of the owner, the debris does get cleaned up but other material is dumped on site soon thereafter. He has not been inside the warehouse and to his knowledge, the only criminal activity is dumping.

Tim Hinshaw, City of Greensboro Fire Marshall, said that the fire department is concerned with this multilevel industrial facility. There are pipes, tanks, and an elevator shaft in the building. It is very dark in the lower corridors. Without it being secure, they will have to respond to a potential fire and/or rescue or emergency call. The fire department has been aware of the condition of this property for two years and the condition has remained the same.

Responding to questions, Fire Marshall Hinshaw said there are some really large open areas in the back with multiple garage doors that are completely off their tracks and the front side is all glass in the office areas behind the large overgrown brush. From his records, not much of the damage or debris is from the tornado but was preexistent. With the multiple levels, multiple doors and stairs, it would take a lot of work to get the building really secure so that people could not make entry into it.

Chief Building Inspector Sheffield said that there is a cell tower behind the site that shares a common driveway and must have access to the alley. Therefore, there is no way to fence off the whole area.

Mr. Kollar said although an explanation was given to explain why it has taken so long to see action on this property, his main concern is the fact that this is a huge hazard. There are tires inside the building; there is an elevator shaft; and there are open areas where people can come into the property.

Acting Chair Isakoff agreed that the most important thing is to secure the building. He would be willing to give more time if the building was adequately secured.

During a discussion on ways to effectively secure the building, Mr. Chhabria suggested that the open spaces could be closed up with brick to prevent entry into the building. He did not know what else to do to secure the building. He said he was willing to do whatever was necessary.

Acting Chair Isakoff said that continuing this matter 60 days would allow Mr. Chhabria to get past the scheduled school board meeting and also to work on Councilwoman Hightower's Mustard Seed idea. Upon his return in 60 days, the building must actually be secure one way or another whether or not that is with a

chain link fence, bricking-in the open spaces, or other means. If not secured, he would be inclined to uphold the Inspector at the September meeting.

Acting Chair Isakoff moved to continue this matter until the September 13, 2018 meeting, seconded by Mr. Brown. The Commission voted 5-0 in favor of the motion. (Ayes: Isakoff, Kollar, Brown, Nazim, Biggerstaff. Nays: None.)

Fire Marshall Hinshaw said that the Code requires property to not only be secured from the outside but from the inside too. It needs to be floor-swept inside with all trash and rubble removed. Fire systems have been deactivated and therefore, the building must be secured on the inside to be truly vacant and secure.

Acting Chair Isakoff advised Mr. Chhabria that all junk must be removed from the inside of the building by the September 13, 2018 meeting.

OWNER APPEAL – CHAPTER 17 NUISANCE CASE:

24. 2806 McConnell Road (Parcel #0022891) Williams Group Investment Properties, LLC, Owner. Inspector Roy McDougal. Owner is **Appealing the Notice of Nuisance Violation(s)** dated June 4, 2018.

(CONTINUED UNTIL SEPTEMBER 13, 2018 MEETING)

Co-Code Compliance Administrator Fountain said that this is a Chapter 17 Nuisance Case. The owner is appealing the Inspector's Notice of Violation. It is being brought before the Commission to decide whether or not to uphold the notice.

Counsel Jones asked Co-Code Compliance Administrator Fountain if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; and the last time the property was inspected was July 6, 2018.

Counsel Jones asked Inspector McDougal to describe what he observed on the property which led him to issue a Notice of Nuisance Violation. He stated that a large amount of debris had accumulated on the property to the left of the driveway that worked its way back to the vehicle as seen on the video being shown to the Commission. The debris consisted of paper fast food products, bottles, cans, etc. and toward the back part of the property there was a large amount of roofing shingles and other debris. A Nuisance Order was sent to the owner requesting that the property be cleaned up. The owner decided to appeal because he felt this debris was something that he did not cause. From the time the Notice was issued until his inspection on July 6, 2018, the condition has not changed. What has happened is that to the left on the picture being shown, a large growth has appeared. Prior to that growth, everything was more visible.

Present to speak on this matter was Charles Blackmon, Attorney, 100 North Greene Street, and Terrence Williams, 2109 New Garden Street. Mr. Blackmon distributed photographs to Commissioners for their review.

Mr. Blackmon said that the subject property is wooded and mostly unimproved. The property directly beside it, 2804 McConnell Road, is an occupied residential dwelling. There is a truck consistently parked on the adjacent property that handles insulation and property repair. He pointed out that most of the debris is related to some sort of construction activity.

The actual boundary between the two properties goes right through the driveway between the properties. What appears to be the neighbor's property to the right of the view being shown in the picture is actually Mr. Williams's property. The neighbor has exercised possession and control over the area depicted in the photographs. He said that the adjacent property owner is attempting to adversely possess the area that is littered and in violation of the ordinance. He stated that items are carefully stacked in an effort to conceal siding from the street. The debris is consistent with the operation of a home repair or insulation business.

Mr. Blackmon read from the ordinance and as per the language in the ordinance, he requested that the property owner at 2804 be contacted and placed on notice that he is responsible for the violation. The Commission has the power to get the adjacent owner to attend the next meeting to get to the bottom of the cause of the violation.

Mr. McDougal confirmed for Mr. Brown that according to the GIS map, the property boundary line goes right down the middle of the driveway. To the right would be the 2804 address and to the left would be the 2806 address that belongs to Mr. Williams. The debris is to the left of the vehicle in the photograph which is on the property at the 2806 address. He stated that no action has been taken on this matter yet due to the appeal.

Acting Chair Isakoff asked Mr. Blackmon if there have been discussions with the owner of the 2804 address concerning this dispute. Mr. Blackmon said they engaged legal counsel and he spoke with their attorney. Their attorney reported his client denied having anything to do with the debris.

Mr. Blackmon pointed out there is a privacy fence near the front of the property that Mr. Williams did not erect but it would appear the 2804 erected in an attempt to conceal the debris shown in the photograph. He felt that the adjacent neighbor is exercising ownership and control over what Inspector McDougal has described as Mr. Williams' property. They are ordering a survey and a quiet title action may occur going forward to settle this boundary dispute. It was only brought to the attention of Mr. Williams when he was cited by Inspector McDougal.

Acting Chair Isakoff stated his opinion that this will come down to exclusive possession. If someone is an occupant who has exclusive possession of the property that is brought up on the nuisance charge then they are responsible; otherwise, the property owner is responsible.

Counsel Jones clarified the Commission's authority given by the ordinance. She said that this is an appeal of a Notice of Violation issue for a nuisance. The Commission is to determine whether or not there is a nuisance that exists. If there is a nuisance that exists, then the Notice of Violation is upheld. If it is felt there is not a nuisance on this property, then the Commission would affirm the appeal and the Notice of Violation would be overturned.

Comments were made by members that it is not up to the Commission to decide who put the trash where or who is responsible for it or where the property line actually lies.

Counsel Jones said that even if the City had some kind of formal notice that someone else was in possession, the City Inspector can issue the Notice of Violation to the owner or another person. It is not required to determine who the responsible party is.

Acting Chair Isakoff commented that the Commission's jurisdiction is limited to the question of is there a nuisance on real property that is titled to someone, unless sometimes it can be noticed to an occupant if that person is exercising exclusive control. He did not see the exclusive part of that in this case.

Mr. Blackmon distributed additional photographs to members.

Mr. Kollar and Ms. Biggerstaff questioned if this matter should be for the courts to decide.

Acting Chair Isakoff noted for the record that it is very suspicious that the owner of 2804 is an insulation contractor and all the debris is related to insulation.

Acting Chair Isakoff was hesitant to exceed the authority of the Commission by requiring the dweller at 2804 to attend the next meeting. His position is that there is a nuisance on Mr. William's property that probably wasn't caused by him.

Counsel Jones clarified for the record that should the Commission uphold the Notice of Violation and the City goes out to abate the violation, the nuisance abatement lien can only be put on the 2806 McConnell Road address. Even if it is determined that another person was responsible, the nuisance abatement lien would go on the tax bill for 2806 McConnell Road.

Mr. Blackmon asked that this matter be continued until the survey is performed and a formal boundary is determined. The survey is scheduled in two weeks.

Mr. Kollar moved to deny the appeal. There was no second and the motion failed.

Mr. Brown pointed out that the GIS boundary may not be accurate. He felt the matter should be continued until a new survey can confirm the location of the boundary.

Mr. Kollar asked Mr. Blackmon if a continuance of 60 days would allow him to do what he needed to do moving forward. He replied in the affirmative and said that if the survey determines the violation is on Mr. Williams' property, he will withdraw the appeal.

Counsel Jones advised the Commission that if the case is continued, the nuisance will not be abated in that time because while it is pending, the City is staid from taking any action on it. She questioned why the nuisance could not be abated while still pursuing civilly for the cost, if it can be determined.

Acting Chair Isakoff made clear that whichever property the trash is on is the one that will have the nuisance violation.

Mr. Kollar moved to continue this case until the September 13, 2018 meeting with the legal survey to be presented at that time, seconded by Mr. Brown. The Commission voted 5-0 in favor of the motion. (Ayes: Isakoff, Kollar, Brown, Nazim, Biggerstaff. Nays: None.)

ADDITIONAL BUSINESS:

Acting Chair Isakoff announced that today is the last meeting for Beth Benton. Ms. Benton will be moving to Oregon where she has accepted another position. The Commission wished Ms. Benton well and thanked her for all she has done for the Commission.

ADJOURNMENT:

There being no further business before the Commission, the meeting adjourned at 5:26 p.m.

Respectfully submitted,

Peter Isakoff
Acting Chair, City of Greensboro Minimum Housing Standards Commission

PI: sm/jd